THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No.10015 of 2006

Date: 24.05.2006

Between:

Pilla Satyanarayana & others

… PETITIONERS

AND

The Collector & District Registrar of Assurances,

Regn. & Stamps, Visakhapatnam & another.

… RESPONDENTS

ORDER:

The petitioners challenged the order dated 25.08.2004 passed by the 1st respondent under Section 47-A of the Indian Stamps Act. They state that the said order has been served upon them only on 22.04.2006 and they are handicapped from availing the remedy of appeal in view of the expiry of period of limitation.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Sub-section 5 of Section 47-A of the Indian Stamps Act as amended by the A.P. Amendment Act 22 of 1971 as passed by the Andhra Pradesh State Legislature, provides for appeal, to be filed within two months from the date of receipt of the order.

If in fact, the petitioners have received the order passed by the 1st respondent on 22.04.2006, they can certainly prefer the appeal within two months thereafter. Even assuming that the appellate authority is not inclined to accede this version, it is always open to the petitioners to file an application under Section 5 of Limitation Act to condone the delay.

The writ petition is disposed of leaving it open to the petitioners to avail the remedy of appeal duly stating the relevant facts in the context of limitation in filing the same.

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L. NARASIMHA REDDY, J

Date: 24.05.2006

ES/CHV